

Planning Committee 10th May 2022

APPLICATION NUMBER		21/01345/FUL	
SITE ADDRESS:		Bradley Hall, Yew Tree Lane, Bradley, Derbyshire, DE6 1PG	
DESCRIPTION OF DEVELOPMENT		Erection of rear extension accommodating a swimming pool and conversion of orangery/shed into kitchen and incorporation into main dwelling and retention of timber panelled gates, hot tub canopy and hot tub	
CASE OFFICER	Mr J Baldwin	APPLICANT	Mr P Staley
PARISH/TOWN	Bradley	AGENT	Mr M Hewitt
WARD MEMBER(S)	Cllr Shirley	DETERMINATION TARGET	13.04.2022
REASON FOR DETERMINATION BY COMMITTEE	Due to local objection	REASON FOR SITE VISIT (IF APPLICABLE)	N/A

MATERIAL PLANNING ISSUES

- Impact on the amenity of neighbouring occupants
- Impact upon heritage assets
- Impacts on biodiversity and protected species

RECOMMENDATION

Approval subject to conditions.

1.0 INTRODUCTION

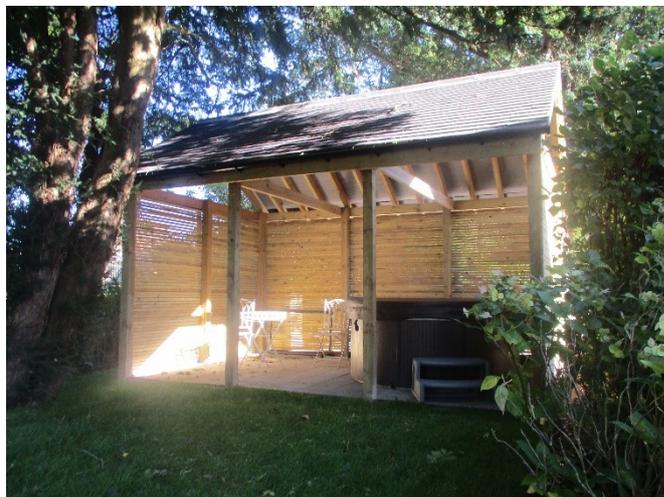
1.1 This application has been considered at a previous committee meeting on 12th April 2022 where it was deferred for the following reasons which will be addressed within the issues section of this report:

- To allow for Historic England to comment on the proposed development
- To identify whether the site is subject to any Ecclesiastical exemptions
- For further clarification on the future use of the property.

2.0 THE SITE AND SURROUNDINGS

2.1 Bradley Hall is a grade II listed building (listed 1952) located off the eastern side of Yew Tree Lane, toward the northern edge of Bradley. The property dates from the mid-18th century and has been subject to incremental alterations and additions which have been carried out in the 19th, 20th & 21st centuries. The property is of red brickwork construction with stone dressings/details with dual and hipped clay tiled roofs and brick chimneystacks. To the north-west of the Hall was a formerly detached, 'L' shaped stable/service building (this is listed separately, grade II – 1984). This building was subsumed, altered and extended (and con-joined) into the main Hall in the 20th century. A further, large, garaging block was added to the north-west in the early 2000s. The Hall is raised above the main road with an impressive brick retaining wall (grade II listed - 1984). Opposite the Hall is the grade II* listed Parish Church and its associated churchyard. Bradley public footpath 17 runs to the south of the property.





3.0 DETAILS OF THE APPLICATION

3.1 Planning permission is sought for various extensions and alterations to the property. During consideration of this application the proposed plans have been amended to remove the conversion of the attic space to habitable accommodation and the various internal and external alterations proposed to accommodate this change. The internal alterations outlined on the submitted plans would not require formal planning permission and will instead be considered under the separate application for listed building consent which has been submitted concurrently with this application under application ref code 21/01346/LBALT. On this basis planning permission is sought for the following.

- Alterations to the existing lean to greenhouse to form a new kitchen with a parapet flat roof and roof lantern with bi-fold doors installed to the north east elevation.
- The removal of the lower brickwork to the existing window openings to the living (to become Games Room) and installation of new bi-fold doors.
- Alterations to the existing store and yard area to form a new pool lobby, this would include the removal of lower brickwork below and existing sash window to form a new doorway.
- A single storey rear extension, to be constructed with a parapet flat roof including two roof lanterns.

3.2 The application also seeks retrospective planning permission for the replacement of a set of double gates and the installation of two hot tubs within the curtilage of the property. One hot tub has been installed with an associated timber canopy structure to the northern (side) of the property. The structure is 4.6m (width) x 3.4m (depth) x 3.6m (height) and is sited approximately 1.5m from the boundary with the neighbouring property to the north. The structure is timber framed with horizontal timber lath screening with a slate roof. The second hot tub is located to the north west of the dwelling.

4.0 PLANNING POLICY AND LEGISLATIVE FRAMEWORK

1. Adopted Derbyshire Dales Local Plan (2017)
 - S4: Development in the Countryside
 - PD1: Design and Place Making
 - PD2: Protecting the Historic Environment
 - PD3: Biodiversity and the Natural Environment
 - PD7: Climate Change
 - HC10: Extensions to Dwellings
2. National Planning Policy Framework (2021)

5.0 RELEVANT PLANNING HISTORY:

12/00486/LBALT	Alterations to listed building - Replacement floorboards to drawing room with side room	PERC	02/11/2012
12/00431/LBALT	Alterations to listed building - Insertion of 3 flue pipes in roof to outbuilding to serve biomass boiler	PERC	04/09/2012
09/00563/FUL	Erection of single storey implement shed	PERC	03/12/2009
03/11/0923	Change of use of part of garage block into offices and two self-contained flats with associated car parking	R	22/01/2004
02/03/0166	Alterations to listed building - Erection of garage block (amendments to consent WED/0393/0194)	A	12/12/2002
02/03/0165	Extension to dwelling - erection of garage block (amendments to planning permission WED/0393/0193)	A	12/12/2002
1196/0777	Retention of gazebo	A	07/01/1997
1196/0776	Retention of summer house	R	16/01/1997

6.0 CONSULTATION RESPONSES

Bradley Parish Council

- 6.1 Bradley Parish Council wish to submit an objection to the application on the grounds of a large scale holiday let being unsuitable for a quiet rural area with limited sewerage and particular reference to outdoor noise being an issue, along with potential drainage issues for the swimming pool.

Derbyshire Wildlife Trust

- 6.2 I have reviewed the Bat Survey Report (Middleton Bell Ecology, March 2022) and acknowledge the changes to the application, which comprise removing the loft conversion element. Works now only include the removal of the orangery and extension works to affect several existing walls. I do note that the title of the application still includes the following "Proposed loft conversion to create habitable rooms with addition of roof lights..." and advise that this is amended for the avoidance of doubt.

The conclusions reached within the report are considered reasonable and whilst it is evident that a brown long-eared maternity bat roost is present in the roof space of B1, no impacts to this area of the building will result from the new proposals. In addition, no impacts to other recorded features with low-moderate bat roost potential are anticipated. As such, no further nocturnal survey is necessary and no licence will be required for works to proceed.

The council must ensure that any permission granted does not allow works to Building 1 and only includes the removal of the orangery and the specified extensions. No new lighting should be permitted that would spill onto B1. Should any future works be required at the

hall, an update building inspection will be required and subsequent nocturnal surveys dependent on the nature of the proposed works.

We advise that a condition is attached to secure the nesting bird brick detailed in Section 6.3.3 to provide an enhancement. More than one brick could be provided.

We also advise that an informative is added to any permission, as follows: *A bat roost has been identified in the main Grade II listed Bradley Hall building, with full details provided in the Bat Survey Report (Middleton Bell Ecology, March 2022). Whilst the roost will not be impacted by the consented works, its presence should be understood by the site owner and contractors. Due to the presence of bats on site, all building works should proceed with caution and vigilance for unexpected bat presence. If bats are subsequently discovered, work should cease, and further advice be sought from a suitably qualified ecologist or organisation without delay.*

Design and Conservation Officer (Derbyshire Dales)

6.3 The proposals are as follows –

- i. Alterations to 2No. existing arched window openings to the existing ‘Living Room’ (to be a Games Room) by removal of window frames & brick bases and installation of new bi-fold doors;
- ii. Alterations to the existing lean-to ‘greenhouse’ to form a new kitchen (with new parapetted flat roof & lantern and bi-fold doors to the north-east elevation) including removal of part of existing (external) wall, at ground level to form doorway;
- iii. Alterations to existing store, w/c and yard area (adjacent to existing ‘greenhouse’) to form a pool lobby, jacuzzi and changing room (with new flat roof over and four roof lights) and including formation of an existing sash window into an access doorway;
- iv. Construction of new, rectangular, single-storey, swimming pool building onto the north-east elevation with parapetted flat roof and 2No. roof lanterns;
- v. Retention and alterations to ‘timber framed canopy’;
- vi. Retention of existing double gates.

The following comments are made on the above list of proposed works -

- i. These architectural features form a significant part of the listed (former) stable block to the Hall. If these were, originally, intended to be open archways to the building and the current window frames and brick bases are later infills, then there would be a justification to re-open them and fully glaze them. If, however, the current window frame and/or brick bases are part of the original design concept for these openings then they should remain as they currently are. Further analysis is required and details via a condition.
- ii. The existing flank walls to this structure are to be retained as they are (with the exception of the doorway in the south-east elevation being blocked). This is currently a multi-paned glazed & panelled timber door with a fanlight over and a stone lintel. The door appears relatively modern. It is considered that the structural doorway opening could be blocked but the stone lintel should remain in-situ and the (matching) brickwork infill should be recessed (approx. 50mm) in order to retain the ‘archaeological’ presence of this doorway on the elevation. The current shallow, lean-to, glazed roof is to be replaced with a solid flat roof with a pitched central lantern. The proposed roof replacement is considered to be an acceptable alteration (however, no flat roof constructional details, or details of the abutments or lantern, have been submitted and these should be required via a condition on any approval). The north-east elevation of the current structure has a series of window frames

above a brick plinth which has, externally, a row of cloches. The cloches and window frames are to be removed and the brickwork plinth and replaced with (5-light) bi-folding doors with a new lintel over. This is considered to be acceptable, however, full constructional details of the new bi-fold doors and the (stone?) lintel over (its type, material, finish etc.) should be required via a condition on any approval.

The former (external) wall of this part of the building is to be breached with the insertion of a standard sized pedestrian doorway (to give access between the new kitchen and games room). Subject to its proposed detailing (via condition) this alteration is considered to be acceptable.

- iii. The general alterations to this part of the listed building are considered to be acceptable. However, the following comments are made –
- It appears that an existing 8 over 8 sash window (with brick lintel & keystone and stone cill) is to be removed and the brickwork & cill below it removed to form a new access doorway. This element is part of the original 'stable' block to the Hall and is a separately listed building. The proposed alterations may be acceptable, however, this would be strictly subject to approval of details via a condition.
 - No details (sections etc.) have been submitted indicating how the proposed new flat roofs will be accommodated into this area (i.e. in relation to existing pitched roof eaves and rainwater goods etc.). In this regard, full constructional and abutment details, sections & elevations should be required via a condition on any approval.
- iv. The proposed new swimming pool building is to be attached to the north-eastern side of the 'plant room' and 'store'. It is to be single-storey with a plain parapetted flat roof with two pitched roof lanterns. The south-east elevation is to have 6-light bi-folding doors, the north-east elevation is to have 2x large sets of sliding glass doors and the north-west elevation is to be blank. It is to be built in matching brickwork with stonework details. In terms of its general form, scale and location it is considered that the building complex forming Bradley Hall could subsume such a new extension without compromising the overall significance, character and appearance of the designated heritage assets. However, the following comments are made relating to the proposals –
- The drawings depict a projecting & chamfered plinth course to the new swimming pool building. This architectural element does not appear to feature on other existing buildings within the vicinity of the new pool building and it is considered that, in this regard, it introduces an architectural detail/element that is un-warranted and inappropriate in this location & context. This detail should, therefore, be omitted.
 - The drawings indicate that the large glazed openings (south & east elevations) have no lintels over. Due to the size of the structural openings this is likely to appear visually & physically odd. In this regard, it is considered that stone lintels should be included and in order to be convincing, in size and form, it is considered that the large opening on the south elevation should be split with a central brickwork pier/column and that both the large openings on the east elevation should also be split/divided into two with a brickwork pier/column. Such a proposal will allow convincing stone lintels to be installed and the proportion/scale of the large glazed openings appropriately altered.
 - Full constructional details of the new swimming pool building, its flat roof, parapet, lanterns, detailing, abutment details and its glazing etc. should be required via a condition on any approval.

- v. On the northern side of the property (on the northern side of the north driveway) it is proposed to retain and alter a free-standing, pitched roof, canopy structure (for a hot tub). This is to be open on two sides with timber lath screening to the other two sides and a slated roof. In its scale, form and location the timber-framed canopy structure is relatively well concealed. It is considered, however, that the timber work to the entire structure (including the lath screening) is painted/opaque stained a dark recessive colour.
- vi. A new pair of double gates has been installed. These appear to be of box-section metal framed construction with brown stained, vertical, timber panels, a solid metal base and a curved and decorative metalwork top. It is considered that in their construction, design, and detailing that they are inappropriate introductions/elements within the setting of the listed building. Any new gates should be of traditional design and detailing.

Subject to the above (and via conditions) it is considered that the proposed alteration works and extensions etc. (excluding item vi.) to the property would be acceptable and would not adversely harm the overall significance of the listed building or its setting/context.

Historic England

- 6.4 Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

Cllr Andrew Shirley

- 6.5 Bradley Hall occupies a very prominent position in the village of Bradley, and sitting in an elevated position as it does, means that any activity or development at the property can have significant impact on the surrounding properties in the village. Whilst Bradley Hall is listed in its own right it is also directly opposite the historic 14th century Parish Church and the surrounding tranquil parkland.

There has been for some time concern over the use of Bradley Hall as a large holiday venue. This appears to have gone beyond the use of a property for self-catering accommodation to a full blown holiday business on quite a different scale. The impacts on the village have already been considerable with increased traffic, noise and litter all of detriment to the wider village.

The current applications for extensions for a kitchen, games room, swimming pool and pool lobby together with hot-tubs will all lead to an unacceptable intensification of the use of the site far beyond what a small, quiet village such as Bradley should have to accommodate.

These applications should not be viewed as regularising the use of the property, or the provision of much needed facilities - they are not. These applications represent a significant increase in the facilities at Bradley Hall so that more people can be accommodated, for more of the years and the impact on local residents will be made worse as a result. Granting this consent will not be a brave step to support tourism, but a decision that will exacerbate the impact on the residents of Bradley forever, and over which DDDC will have no control.

It should be noted that the Parish Council has objected together with 31 others as detailed in the officers report. Objections from 31 households in a small village such as Bradley

should be significant, as will the impact of the proposed intensification of the use of the site and the impact that will inflict on the village.

7.0 REPRESENTATIONS RECEIVED

7.1 A total of 31 representations have been received in relation to the proposed development. A summary of the representations is outlined below:

- The works are not sympathetic to the Grade II listed building and will damage the historic character and internal fabric.
- Concerns regarding the applicants business interests. The applicant currently runs holiday lets in the village which cause significant distress to the residents in Bradley.
- The noise levels, traffic and rubbish in the village have increased.
- If the application is to be approved it is requested a condition is attached to prevent use a holiday accommodation.
- The proposed alterations are significant and would have a major effect on the buildings character.
- The installation of 11 conservation roof lights is excessive. The roof should be protected from any major alterations except for essential repair and maintenance.
- The modern design of the swimming pool building is obtrusive and not in keeping with the character of Bradley Hall.
- Request more details on how water from the swimming pool would be drained as this could affect the biodiversity of the area.
- The boundary of the site plan is incorrect.
- No bat surveys have been carried out which is concerning given the extensive alterations to the attic space.
- There are discrepancies within the proposed plans regarding a number of windows.
- Concerns regarding the number of enforcement cases which are active both at this site and sites which the applicant has previously been involved in.
- Large areas of the building have not been surveyed.
- The increased traffic from the existing holiday lets has already impacted the village.
- Police monitoring has been required with a number of occupants of the holiday lets.
- The introduction of hot tubs has increased the noise levels from the site.
- Concerns regarding overlooking from new staircase to northern elevation
- Request a condition that the swimming pool is solely for the use of the occupants of Bradley Hall.
- Concerns regarding additional sewage.
- There would be far fewer concerns if there as a degree of certainty that the building would not be used for expanding a holiday let enterprise.
- The main drain from the hot tub building flows onto neighbouring land.
- The District Council have notified two attached properties of the application however both properties are under the applicant's ownership.
- There is no reason a private dwelling would require several kitchens.
- Concerns that the property due to its scale would be unsaleable as a private home and would only lend itself to use as a commercial property.
- Historic England recommend with regards to changes to Grade II listed building is that they are capable of being reversed, so as to minimise the impact of the work on historic material and will ensure the original plan, form or appearance of the building isn't lost forever. The plans proposed contravene this recommendation.
- Following the submission of amended plans the discrepancy regarding the boundary on the submitted plans has not been resolved.
- Following the submission of amended plans no additional detail has been provided to justify the additional staircase to the holiday lets.
- This amended application does not resolve the major problem associated with it, which is the likely impact on residents living near to Bradley Hall of a large "party house".

- Concerns regarding comments within a village WhatsApp group from the applicants partner stating "Anything's possible. Dream big I always say. Also helps if you have the right contacts"
- 7.2 In addition to the above, a petition has been received in objections to the application which has been signed by 85 residents.
- 7.3 One letter of support has also been received in relation to the proposed development:
- I think it is fantastic that after such a long time vacant a family has bought Bradley Hall. It is wonderful this period property will be lived in and loved again.

8.0 OFFICER APPRAISAL

The following material planning issues are relevant to this application:

- Impact on amenity of neighbouring occupants.
- Impact on the character, appearance and fabric of the Grade II listed building and setting of adjacent heritage assets.
- Impacts on biodiversity and protected species

Impact on amenity of neighbouring occupants

- 8.1 Policy PD1 of the Adopted Derbyshire Dales Local Plan (2017) states that the Local Planning Authority will require development proposals to achieve "a satisfactory relationship to adjacent development and not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity".
- 8.2 Following the amendments to the scheme which have been received during the consideration of this application, the proposal no longer includes the proposal to convert the attic space into habitable accommodation. The amendments are now largely contained to the ground floor of the property with the exception of the additional external staircase to the northern elevation of the building which would provide access to the first floor.
- 8.3 Concerns have been raised by neighbouring residents with regard to potential overlooking from the new staircase to the northern elevation. Whilst these concerns are noted, there is existing intervening mature tree planting between the northern elevation of the property and the boundary with the neighbouring property to the north. There is also an existing first floor window to this elevation of the property. Overall there is not considered to be any significant increase or additional overlooking/loss of privacy to the neighbouring occupants as a result of the new staircase.
- 8.4 The extensions and alterations to the rear of the property are all single storey in nature and set a considerable distance from the boundary of the site. These elements of the proposed development are not considered to result in any loss of privacy or overbearing/overshadowing of neighbouring occupants.
- 8.5 Retrospective permission is sought as part of this application for the installation of two hot tubs and associated structures, one of which is installed to the front of the property and one to the northern side of the property adjacent to the boundary with Hall Farm. Significant concerns have been raised by neighbouring occupants regarding noise emanating from the use of the hot tubs. The District Council consider that the siting of the building and the operation of the hot tub would not result in significant noise pollution of the area which would warrant the refusal of planning permission in this case. It is acknowledged that there could be some disturbance/nuisance from users of the hot tubs but this is not inevitable and this would be addressed by Environmental Health Regulations should it be required.

8.6 The Local Planning Authority consider that overall, the proposed development would achieve a satisfactory relationship with surrounding properties and would be in accordance with policy PD1 of the Adopted Derbyshire Dales Local Plan (2017) in this regard.

Impact on the character, and appearance of the Grade II listed building and setting of adjacent heritage assets.

8.7 As well as the Grade II listed Bradley Hall and the associated Grade II listed stable building, retaining wall and water tower within the rear garden there are a number of heritage assets within close proximity to the site including the Grade II* listed All Saints Church to the west and Grade II listed Wayside to the south.

8.8 The conversion of the attic space has been removed from this application. Any internal alterations proposed would not require planning permission and would instead be considered under the associated application for listed building consent (ref code 21/001346/LBALT).

8.9 Concerns have been raised by neighbouring occupants with regard to the impact of the proposed development on the character and appearance of the existing Grade II listed building and the setting of adjacent heritage assets. The works to the Grade II listed building, with the exception of the new staircase to the northern elevation are contained to the rear elevation of the property and would therefore not be prominent in views from Yew Tree Lane.

8.10 The proposed formation of larger openings to the southern elevation of the existing "living room" appears to return the openings back to their original form. The brickwork to be removed is inset within the openings indicating that these may have originally been openings which extended to the floor. On this basis, subject to appropriate frame/door details to be secured by condition, the proposed alteration is considered to be acceptable. Similarly, the formation of bi-folding doors to the eastern elevation of the greenhouse/orangery, which is currently, largely glazed due to the nature of its existing use, would be acceptable. The footprint of the greenhouse/orangery would be retained and as a result, the existing external walls can be retained. The proposed new flat roof with roof lantern would replace an existing lean to roof however, this would be screened by the parapet, with only a small portion of the lantern projecting above the coping of the parapet, and as a result would have minimal visual impact. As highlighted by the Design and Conservation Officer, details of the abutment of the new roof to the Grade II listed building and details of the lantern would be required by condition.

8.11 The proposed new external staircase would be installed to the northern elevation of a relatively modern extension to the property. Whilst there would be passing views of the new staircase it would not be a prominent feature of the property due to the scale of the staircase and existing boundary planting. Subject to full constructional details of the staircase there is not considered to be any adverse impacts on the character and appearance of the property following the construction of this new staircase.

8.12 The proposed extension to accommodate the new swimming pool is of significant scale however, given the scale of Bradley Hall and the surrounding land, this is not considered to appear out of scale and can be accommodated by the site and building without overwhelming the property or resulting in a site which appears overdeveloped. The contemporary design of the extension has been raised by neighbouring residents as appearing out of character with the historic building however it is considered in this case, particularly given the scale of the extension, a contemporary extension which has a simple design and form would be appropriate in this context. Subject to design details being secured by condition, the proposed extension would be acceptable.

- 8.13 Whilst there are views of the structure surrounding the hot tub from Yew Tree Lane, this structure is partially screened from views by existing planting. The scale of the structure is relatively modest and given the timber frame and timber clad construction, has a relatively ephemeral appearance. Subject to an appropriate dark and recessive stain colour being applied to the structure, there is not considered to be any harm to the setting of the Grade II listed building.
- 8.14 Whilst there is no objection in principle to the installation of new gates to the northern driveway of the property, the double gates proposed as part of this application are considered to be inappropriate for the setting of a listed building. A revised design for the gates will be sought via condition.
- 8.15 The extensions and alterations are not considered to harm the character, appearance or setting of the Grade II listed building. There is also considered to be no harm caused to the setting of the adjacent listed buildings as a result of the proposed development.
- 8.16 Paragraph 202 of the National Planning Policy Framework states “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”. It is considered that in this case however, subject to conditions, the proposed development would not result in any harm to the significance of the Grade II listed building and would instead have a neutral impact. There would therefore be no requirement to weigh impacts of the proposal against any public benefits to be derived and the development would therefore comply with policy S4, PD1 and PD2 of the Adopted Derbyshire Dales Local Plan (2017) with regard to its impact on the character and appearance of designated heritage assets.

Impact on biodiversity and protected species

- 8.17 The applicant has carried out a preliminary bat survey which has identified the likely presence of a brown long-eared bat maternity roost within the attic space of the main part of Bradley Hall. The applicant has since removed the conversion of this attic space from the application and having regard to the consultation response received from Derbyshire Wildlife Trust, the proposed development would not impact on this roost.
- 8.18 The survey provided by the applicants does recommend the installation of a Swift brick as an opportunity for biodiversity enhancement at the site. This will be secured by condition.

Other Issues

- 8.19 A large number of concerns have been raised regarding existing and historic enforcement cases which have involved the applicant and various incidents within the village which have allegedly occurred due to occupants of the holiday lets which the applicant owns. Whilst the concerns are acknowledged, they are not material planning considerations which can form part of the consideration of this application. References have also been made to inaccuracies on plans relating to land ownership and drainage of rainwater onto neighbouring land, these concerns are considered to be civil matters which again, cannot be controlled or considered as part of this planning application.
- 8.20 It has also been requested that a condition be attached to prevent the property being used as a holiday let. In this regard, the building can currently be operated as a holiday let provided that the tenants of the building are occupying the building as a single household. The District Council would not be able to retrospectively control the use of the building in this way. If however the building were to be occupied by numerous different, unrelated groups of occupants, this would constitute a material change of use of the building which would require a separate grant of planning permission.

Reasons for deferral of the application at previous committee meeting:

- 8.21 Historic England have commented on the proposed development, as set out within the consultations section of this report they have advised that District Council seek the views of their own conservation advisors. The District Council's Design and Conservation Officer has commented in detail on the proposed development and this has formed part of the consideration of this application.
- 8.22 The District Council have consulted the Diocese of Derby for comment on whether there are any Ecclesiastical exemptions on site. At the time of writing this report no response has been received. Any comments received will be reported within the late representations.
- 8.23 The proposed development has been submitted under a householder application and the Applicant has set out that the use of the property (excluding the existing holiday lets) would be as the main dwelling for the applicant and their family. This application should be assessed on this basis. The current use of the building is C3 (Dwellinghouses) which includes the uses set out below. If the building were to be occupied outside of these uses, the development this would be a breach of planning control.

Class C3. Dwellinghouses

Use as a dwellinghouse (whether or not as a sole or main residence) —

(a) by a single person or by people living together as a family, or

(b) by not more than 6 residents living together as a single household (including a household where care is provided for residents).

- 8.24 In summary, whilst officers have explored the reasons for deferral of the application, they do not alter the balanced assessment of the main material planning issues previously presented to committee.

Conclusion

- 8.25 Whilst the significant number of representations received in objection to this proposal, the Local Planning Authority can only have regard to the material planning issues set out above in the consideration of this application. Having regard to the above, and subject to conditions, it is considered that the development, as amended, would satisfy the relevant provisions of the Adopted Derbyshire Dales Local Plan (2017) and the guidance contained within the National Planning Policy Framework (2021).
- 8.26 A recommendation of approval is put forward on this basis.

9.0 RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. The development hereby permitted must be begun before the expiration of three years from the date of this permission.

Reason:

This is a statutory period which is specified in Section 91 of the Town and Country Planning Act 1990.

2. This permission relates solely to the application as amended by the revised plan(s) received by the Local Planning Authority on the 25/02/2022 numbered 201 – Site Plan

as Proposed, 202 – Ground Floor as Proposed, 206 – Elevations as Proposed, 207 - Roof Plan as Proposed, 208 – Elevations as Proposed, 302 – Ground Floor as Proposed, 303 - Roof Plan as Proposed

Reason:

For the avoidance of doubt.

3. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

Reason:

In the interests of safeguarding protected species and to preserve the amenity of the area in accordance with policy PD3 and PD1 of the Adopted Derbyshire Dales Local Plan (2017).

4. Details of the location of a Manthorpe Swift Brick (or equivalent) shall be submitted to an approved in writing by the Local Planning Authority prior to works commencing on the external walls of the extension hereby approved. The development shall then be carried out in accordance with the approved details.

Reason:

In the interests of safeguarding protected species in accordance with policy PD3 of the Adopted Derbyshire Dales Local Plan (2017).

5. Within 56 days of the date of this decision details of a dark stain colour to be applied to the timber structure to the north of the property shall be submitted to and approved in writing by the Local Planning Authority. The approved stain shall then be carried out within 56 days of the details being approved thereafter be maintained in perpetuity.

Reason:

To ensure a satisfactory external appearance in accordance with the aims of Policies PD1, PD2 and HC10 of the Adopted Derbyshire Dales Local Plan (2017).

6. Notwithstanding the submitted plans, the permission does not extend to include the double gates installed to the northern driveway of the property. Within 56 days of the date of this decision amended details which present a more traditional pair of gates shall be submitted and approved in writing by the Local Planning Authority alongside a schedule of works to replace the existing gates with the approved details within a 12 month period. The works shall then be carried out in accordance with the approved schedule and details.

Reason:

In the interests of preserving the character and appearance of the listed building and its setting in accordance with the aims of Policies PD1, PD2 and HC10 of the Adopted Derbyshire Dales Local Plan (2017).

7. Before works begin on the external brickwork a sample of the proposed brick and details of the brick bond to be used shall be submitted to and approved in writing by the Local

Planning Authority. The works shall thereafter be carried out in accordance with the approved details.

Reason:

In the interests of preserving the character and appearance of the Listed Building in accordance with the aims of Policies PD1, PD2 and HC10 of the Adopted Derbyshire Dales Local Plan (2017).

8. Details of the construction design and pattern of all windows, doors and roof lanterns shall be submitted to, and approved in writing by the Local Planning Authority prior to installation. The window and doors shall then be installed in accordance with the approved details and so retained.

Reason:

In the interests of preserving the character and appearance of the Listed Building in accordance with the aims of Policies PD1, PD2 and HC10 of the Adopted Derbyshire Dales Local Plan (2017).

9. Details of the materials, treatment and/or colour of the window and door frames shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The window and door frames shall then be installed in accordance with the approved details and so retained.

Reason:

In the interests of preserving the character and appearance of the Listed Building in accordance with the aims of Policies PD1, PD2 and HC10 of the Adopted Derbyshire Dales Local Plan (2017).

10. Prior to works commencing on the extension hereby approved full constructional and sections detailing the abutment of new roofs and the swimming pool extension to the existing building shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved details and so retained.

Reason:

In the interests of preserving the character and appearance of the Listed Building in accordance with the aims of Policies PD1, PD2 and HC10 of the Adopted Derbyshire Dales Local Plan (2017).

11. Prior to works commencing of the exterior walls of the extension hereby approved, amended plans which remove the chamfered plinth detail to the extension shall be submitted to and approved in writing by the Local Planning Authority, and the works shall then be carried out in accordance with the approved details.

Reason:

In the interests of preserving the character and appearance of the Listed Building in accordance with the aims of Policies PD1, PD2 and HC10 of the Adopted Derbyshire Dales Local Plan (2017).

12. Prior to works commencing on the external staircase hereby approved, full constructional details of the staircase and balustrade shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved details and so retained.

Reason:

In the interests of preserving the character and appearance of the Listed Building in accordance with the aims of Policies PD1, PD2 and HC10 of the Adopted Derbyshire Dales Local Plan (2017).

13. The swimming pool hereby permitted shall be used only for a purpose incidental to the domestic enjoyment of the occupants of the dwelling house Bradley Hall and shall not be used in association with any trade or business purposes.

Reason:

To safeguard the amenities of nearby residential properties in accordance with policy PD1 of the Adopted Derbyshire Dales Local Plan (2017).

10.0 NOTES TO APPLICANT:

The Local Planning Authority prior to and during the consideration of the application engaged in a positive and proactive dialogue with the applicant which resulted in the submission of a scheme that overcame initial concerns relating to the impact of the proposed development on the significance of the Grade II listed building and the impact of the proposal on protected species on site.

The Town and Country Planning (Fees for Applications and Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (SI 2012/2920) stipulate that a fee will henceforth be payable where a written request is received in accordance with Article 30 of the Town and Country Planning (Development Management Procedure) Order 2010. Where written confirmation is required that one or more Conditions imposed on the same permission have been complied with, the fee chargeable by the Authority is £97 per request. The fee must be paid when the request is made and cannot be required retrospectively. Further advice in regard to these provisions is contained in DCLG Circular 04/2008.

A bat roost has been identified in the main Grade II listed Bradley Hall building, with full details provided in the Bat Survey Report (Middleton Bell Ecology, March 2022). Whilst the roost will not be impacted by the consented works, its presence should be understood by the site owner and contractors. Due to the presence of bats on site, all building works should proceed with caution and vigilance for unexpected bat presence. If bats are subsequently discovered, work should cease, and further advice sought from a suitably qualified ecologist or organisation without delay.

This decision notice relates to the following documents:

Design and Access Statement

Bat Survey Report

100 – Site Location Plan

101 – Site Plan as Existing

102 – Ground Floor as Existing

104 – Roof Plan as Existing

105 – Elevations as Existing

201 – Site Plan as Proposed

202 – Ground Floor as Proposed

206 – Elevations as Proposed

207 - Roof Plan as Proposed

208 – Elevations as Proposed

302 – Ground Floor as Proposed

303 - Roof Plan as Proposed